IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 13528 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SURPALSINH LADHUBHA GOHIL

Versus

REGIONAL TRANSPORT OFFICE

Appearance:

1. Special Civil Application No. 13528 of 2004

MR RAJESH K SAVJANI for Petitioner No. 1

MS NANDINI JOSHI A.G.P. for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 26/10/2004

ORAL JUDGEMENT

1. RULE. Ms. Nandini Joshi learned A.G.P. waives service of rule on behalf of the respondent. With the consent of the parties, the matter is taken up for final

hearing today.

2. The petitioner has by way of this petition prayed that the respondent be directed to issue and/or renew the permit and passing certificate and further to accept the current monthly charges for plying the vehicle on the condition that the petitioner will deposit the entire amount within three months that may be assessed by the respondent authority.

3. I have heard the learned counsel for the respective parties and have perused the relevant record. As a result of hearing, a consensus has been arrived at between the parties, and in my opinion, ends of justice will be met if the petitioner is directed to make an application to the respondent authority with regard to permission for plying his vehicle within a reasonable period.

4. Hence, the petitioner is directed to make an application before the respondent authority on 27th October, 2004 with regard to obtaining permission for plying his vehicle. As and when such application is made, the respondent authority shall consider and decide the same in accordance with law within a period of one week from the date of receipt of the application from the petitioner. The respondent authority shall assess the current tax liability of the petitioner and shall allow the petitioner to ply his vehicle after the payment of tax.

5. With the above direction, the petition is disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.

Direct Service is permitted today.

[K.S. JHAVERI, J.]

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